



DOCKET NO.: OVIT-0252

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Charanpreet S. Bagga, et al.

Application No.: 10/654,543

Filing Date: September 2, 2003

For: SYSTEM AND KIT FOR DELIVERY OF RESTORATIVE MATERIALS

DATE OF DEPOSIT *October 3, 2003*

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE UNITED STATES PATENT AND TRADEMARK OFFICE, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

Elizabeth A. McLoud

TYPED NAME: Elizabeth A. McLoud

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in § 1.491, before the mailing date

of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

- In accordance with § 1.129(a), this Information Disclosure Statement is being filed in connection with the first or second After Final Submission, therefore:
 - Certification in Accordance with § 1.97(e) is attached; or
 - The fee of \$180.00 as set forth in § 1.17(p) is attached.
- In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:
 - Certification in Accordance with § 1.97(e) is attached;
 - or
 - The fee of \$180.00 as set forth in § 1.17(p) is attached.
- In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).
- Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

- Copies of references listed on the attached Form PTO-1449 are enclosed herewith
- Copies of references listed on the attached Form PTO 1449 are not required to be submitted pursuant to the June 30, 2003 recent revisions to 37 CFR § 1.98(a)(2)(i).

EXCEPT THAT:

- In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

- In accordance with § 1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application:

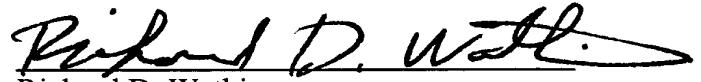
- Copies of references **1-26** listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior Application No. **09/788,943**, filed **February 20, 2001**.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

- The relevance of those listed references which are not in the English language is as follows:
- There are no listed references which are not in the English language.

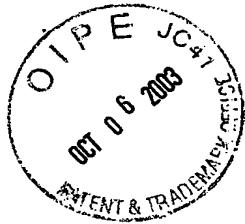
Date:

October 3, 2003


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Form PTO-1449 Modified		Docket No. OVIT-0252	Application No. 10/654,543
List of Patent and Publications Cited by Applicant (Use several sheets if necessary)		Applicant Charanpreet S. Bagga, et al.	
U.S. Department of Commerce Patent and Trademark Office		Filing Date September 2, 2003	Group Not Yet Assigned
		Confirmation No. Not Yet Assigned	

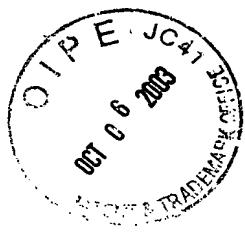
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

1	Chiras, J., et al., "Percutaneous Vertebroplasty," <i>J. Neuroradiol.</i> , 1997, 24, 45-59 (English translation)
2	Deramond, H., et al., "Percutaneous Vertebroplasty," <i>Seminars in Musculoskeletal Radiology</i> , 1997, 1(2), 285-295
3	Gangi, A., et al., "Percutaneous vertebroplasty guided by a combination of CT and fluoroscopy," <i>AJNR</i> , January 1994, 83-86
4	Heini, P.F., et al., "Percutaneous transpedicular vertebroplasty with PMMA: operative technique and early results," <i>Eur. Spine J.</i> , 2000, 9, 445-450
5	Jensen, M.E., et al., "Percutaneous polymethylmethacrylate vertebroplasty in the treatment of osteoporotic vertebral body compression fractures: technical aspects," <i>AJNR</i> , November 1997, 18, 1897-1904

EXAMINER	DATE CONSIDERED
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Form PTO-1449 Modified List of Patent and Publications Cited by Applicant (Use several sheets if necessary)				Docket No. OVIT-0252	Application No.		
				Applicant Charanpreet S. Bagga, et al.			
U.S. Department of Commerce Patent and Trademark Office				Filing Date September 2, 2003	Group Not Yet Assigned		
				Confirmation No. Not Yet Assigned			
U. S. PATENT DOCUMENTS							
Examiner Initial		Document No.	Date	Name		Class	Subclass
	6	4,230,123	10/1980	Hawkins, Jr.		128	658
	7	4,469,109	09/04/84	Mehl		128	753
	8	4,737,146	04/1988	Amaki, et al.		604	51
	9	4,793,363	12/27/88	Ausherman, et al.		128	754
	10	4,838,282	06/13/89	Strasser, et al.		128	754
	11	5,195,974	03/1993	Hardy		604	110
	12	5,595,172	01/1977	Reese		128	200
	13	5,601,559	02/11/97	Melker, et al.		606	79
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	15	5,702,373	12/1997	Samson		604	282
	16	5,795,332	08/1998	Lucas, et al.		604	96
	17	6,019,776	12/01/00	Preissman, et al.		606	185
	18	6,033,411	03/07/00	Preissman		606	99
	19	6,019,765	02/2000	Thornhill, et al.		606	94
	20	6,019,776	02/2000	Preissman, et al.		606	185
	21	6,033,411	03/2000	Preissman, et al.		606	99
	22	6,048,343	04/2000	Mathis, et al.		606	72
	23	6,231,615 B1	05/2001	Preissman, et al.		623	23.73
EXAMINER				DATE CONSIDERED			



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		Confirmation No.	

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Examiner Initial		Document No.	Date	Name	Class	Subclass
	24	6,241,734 B1	06/05/01	Scribner, et al.	606	93
	25	6,248,110 B1	06/2001	Reiley, et al.	606	93
	26	6,273,916 B1	08/2001	Murphy	623	23.62
	27	6,613,018 B2	09/02/03	Bagga, et al.	604	187

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Country	Translation	
					YES	NO

EXAMINER

DATE CONSIDERED